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LETTER DATED 23 MARCH 1994 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith a letter dated 23 March 1994 from Mr. Omar Mustafa Almuntasser, Secretary of the General People's Committee for Foreign Liaison and International Cooperation, concerning the Judgment on the territorial dispute between the Libyan Arab Jamahiriya and the Republic of Chad handed down by the International Court of Justice on 3 February 1994.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Ali Ahmed ELHOUDERI
Permanent Representative

Annex

Letter dated 23 March 1994 from the Secretary of the General People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya addressed to the Secretary-General

As you know, on 3 February 1994 the International Court of Justice issued its Judgment on the territorial dispute between the Great Jamahiriya and the Republic of Chad.

The Leader of the Revolution subsequently sent a special envoy to His Excellency the President of the Republic of Chad, who responded in the same manner, and there was a exchange of written and oral messages between the two in this regard.

Between 4 and 7 March 1994 I undertook a visit to N'Djamena in order to conduct talks at the invitation of my counterpart, His Excellency the Minister for Foreign Affairs of Chad.

Although His Excellency the Minister for Foreign Affairs of Chad did not pursue the talks in person, having entrusted them to a delegation that included the Minister of the Interior and the Minister of Defence, the opportunity was nevertheless given for each side to place its position on record.

The Libyan delegation stressed that the Great Jamahiriya would abide by the Judgment of the International Court of Justice and that the Judgment had brought a definitive end to the territorial dispute between the two parties. The Judgment clarifies the status of the boundaries and determines the boundary lines but does not otherwise set forth any obligations or stipulate any measures to be taken by either party or by both. It follows that the legal consequences of the Judgment should be the subject of an agreement between the two parties. The Great Jamahiriya is of the view that all of this requires the elaboration of a mechanism to give effect to the Judgment and to determine the consequences that it entails, taking account of the fact that it was issued as a result of the Framework Agreement concluded by the two parties at Algiers in 1989 and that action is also required to carry through the implementation of the provisions of that Agreement if relations are to be cemented in an orderly manner.

The delegation of the Republic of Chad insisted that the implementation of the Judgment meant that a timetable for the withdrawal of the Libyan civil and military administration should be drawn up and that discussion of any mechanism of implementation and of the formation of committees was premature and could not be considered before agreement was reached on a timetable for withdrawal. Given this position, the first meeting to which reference has been made was adjourned on the understanding that a Chadian delegation would visit the Great Jamahiriya as soon as possible with a view to reaching agreement on a mechanism for giving effect to the Judgment, including a timetable and modalities for withdrawal.

In the framework of the consultations between the two countries, on 15 March 1994 the Leader of the Revolution received a personal envoy from President Idriss Deby. On 12 March 1994 the Great Socialist People's Libyan Arab Jamahiriya addressed a letter to President Mohamed Hosni Mubarak, in his capacity as current Chairman of the Organization of African Unity (OAU), requesting him urgently to dispatch an Egyptian commission to supervise the Libyan withdrawal from the "Aouzou Strip" in implementation of the Judgment of the International Court of Justice and informing him that the Great Socialist People's Libyan Arab Jamahiriya would facilitate access to the Aouzou Strip for the members of the commission thus formed, so that OAU and President Mubarak could witness the implementation of the Judgment.

Finally, on 17 March 1994 the Great Socialist People's Libyan Arab Jamahiriya renewed its invitation, through the Chadian Embassy in Tripoli, for a Chadian delegation to visit the Great Jamahiriya to discuss the implementation of the Judgment of the International Court of Justice. A reply has yet to reach us.

I have deemed it appropriate to inform you of these developments and to assure you that I am confident that the readiness of the Jamahiriya to implement the Judgment is not open to doubt or subject to any conditions and that the Jamahiriya's sole objective is to arrive at a definitive solution in a sound, workable and rational manner. We shall remain determined to bring to such an end a dispute that had been of long standing and had become exacerbated before the judicial decision of early last month.

(Signed) Omar Mustafa ALMUNTASSER
Secretary of the General People's Committee
for Foreign Liaison and International Cooperation